

TENTATIVE RULINGS for CIVIL LAW and MOTION

September 14, 2016

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted on Yolo Court's Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Please take note that Yolo Superior Court is now located at 1000 Main Street, in Woodland.

Telephone number for the clerk in Department Eleven: (530) 406-6843

TENTATIVE RULING

Case: **Bank of America, N.A. v. Perez**
Case No. CV G 16-35

Hearing Date: **September 14, 2016** **Department Eleven** **9:00 a.m.**

Plaintiff Bank of America, N.A.'s unopposed motion to deem admissions admitted is **GRANTED**. (Code Civ. Proc., § 2033.280, subd. (b).)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rule of Court 3.1312, or further notice is required.

TENTATIVE RULING

Case: **Bonsall v. Yolo County Transportation District**
Case No. CV PO 15-210

Hearing Date: **September 14, 2016** **Department Eleven** **9:00 a.m.**

Plaintiff Jennifer Bonsall's motion to consolidate the instant matter with Case No. CV PM 16-1278 is **DENIED**. Plaintiff has not complied with California Rule of Court 3.350 by filing a notice of the motion in Case No. CV PM 16-1278. (Cal. Rules of Court, rule 3.350(a).)

Plaintiff's motion to continue the trial set for April 10, 2017, based on the parties' stipulation is **GRANTED**. The trial date and trial readiness conference date are **VACATED**. The parties are directed to attend a trial setting conference on October 10, 2016, in Department 11 at 9:00 a.m. to reset the trial.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rule of Court 3.1312, or further notice is required.

TENTATIVE RULING

Case: Portnoy v. Alba
Case No. CV CV 16-900

Hearing Date: September 14, 2016 **Department Eleven** **9:00 a.m.**

Plaintiff Sergei Portnoy's "motion to vacate tentative ruling in full" is **DENIED**. Plaintiff cites no legal authority supporting his request that the Court vacate the tentative ruling sustaining defendants' demurrer to his complaint on August 9, 2016. To the extent plaintiff's motion asks the Court to reconsider its order sustaining defendants' demurrer, plaintiff has not complied with Code of Civil Procedure section 1008(a). (Code Civ. Proc., § 1008, subd. (a) ["The party making the application shall state by affidavit what application was made before, when and to what judge, what order or decisions were made, and what new or different facts, circumstances, or law are claimed to be shown."].)

The notice of motion does not provide notice of this Court's tentative ruling system as required by Local Rule 11.4(b). Counsel for moving party is ordered to notify the opposing party or parties immediately of the tentative ruling system and to be available at the hearing, in person or by telephone, in the event the opposing party or parties appear without following the procedures set forth in Local Rule 11.4(a).